

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD
INTERCHANGE FEE AND MERCHANT
DISCOUNT ANTITRUST LITIGATION**

No. 05-md-01720 (MKB) (JO)

This Document Applies to:

Sunoco Retail LLC, et al. v. Visa Inc., et al.,
No. 14-cv-05800 (E.D.N.Y.) (MKB) (JO)

E-Z Mart Stores, Inc., et al. v. Visa, Inc., et al., No. 13-cv-05352 (E.D.N.Y.) (MKB)
(JO)

STIPULATION AND PROPOSED ORDER

WHEREAS, Sunoco Retail LLC (as successor in interest to Sunoco, Inc. (R&M)) and Aloha Petroleum, Ltd. filed an action captioned *Sunoco Retail LLC, et al. v. Visa Inc., et al.*, No. 14-cv-05800 (E.D.N.Y.) (MKB) (JO) (the “Sunoco Action”), which has been consolidated and coordinated for pretrial proceedings in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, No. 05-md-01720 (E.D.N.Y.) (“MDL 1720”);

WHEREAS, Susser Holdings Corporation filed an action captioned *E-Z Mart Stores, Inc., et al. v. Visa, Inc., et al.*, No. 13-cv-05352 (E.D.N.Y.) (MKB) (JO) (the “E-Z Mart Action”), which has been consolidated and coordinated for pretrial proceedings in MDL 1720;

WHEREAS, Susser Holdings Corporation has become an affiliate of Sunoco Retail LLC and Aloha Petroleum, Ltd.;

WHEREAS, the plaintiffs Sunoco Retail LLC, Aloha Petroleum, Ltd., and Susser Holdings Corporation (the “Plaintiffs”) have responded to certain discovery requests;

WHEREAS, on August 24, 2017, the Court ordered the deadline for completion of fact discovery in MDL 1720 to be April 30, 2018;

WHEREAS, at the request of the Plaintiffs and the defendants in the Sunoco Action and the E-Z Mart Action, the Court extended the deadline for obtaining fact discovery from Plaintiffs to June 29, September 28, November 28, 2018, and January 28, 2019; and

WHEREAS, the Plaintiffs and the defendants in the Sunoco Action and the E-Z Mart Action seek additional time to allow the defendants to complete fact discovery of the Plaintiffs, without altering other case deadlines;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The deadline for obtaining fact discovery of the Plaintiffs (Sunoco Retail LLC, Aloha Petroleum, Ltd., and Susser Holdings Corporation) shall be extended to and including March 21, 2019.
2. All other case deadlines ordered by the Court, including without limitation the deadline for completion of fact discovery of all defendants in MDL 1720, shall remain unchanged.
3. No party shall use this stipulation and extension of time as a basis to extend any other case deadline, including the deadline to file expert reports.

Dated: December 10, 2018.

Respectfully submitted,

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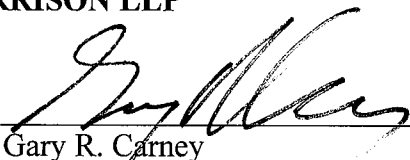
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SO ORDERED:

Dated:

Brooklyn, New York

United States District Judge